

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**WILLIAM T. MCCANDLESS**

Petitioner,

vs.

**WILLIAM K. MARSHALL**, III in his capacity as :  
Director of the Bureau of Prisons, **COL. KEVIN** :  
**HUDSON**, in his capacity as Superintendent of the :  
Rappahannock Regional Jail, **PAMELA BONDI**, :  
In her capacity as Attorney General of the United :  
States of America; **SAM SCALES**, in his capacity :  
as an agent of the Bureau of Prisons; **ALICIA** :  
**LYLES**, in her capacity as an agent of the Bureau :  
of Prisons and/or as a representative of Volunteers :  
of America Chesapeake & Carolinas :

Respondents.

**PETITION FOR A WRIT  
OF HABEAS CORPUS**

Case No.

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**Introduction**

1. Petitioner, Fr. William McCandless (hereinafter “Fr. McCandless”) is currently held at the Rappahannock Regional Jail, in Stafford, Virginia (hereinafter “regional jail”). Fr. McCandless, while held in a local jail, was taken into custody by U.S. Marshals on or about July 15<sup>th</sup>, 2025.
2. Fr. McCandless seeks a Writ of Habeas Corpus to challenge his detention by the Bureau of Prisons (hereinafter “BOP”).<sup>1</sup>

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<sup>1</sup> This matter **is not** related nor based upon The Antiterrorism and Effective Death Penalty Act of

3. To the best of Fr. McCandless' information and belief, he is being held in the regional jail at the behest of the BOP.
4. Fr. McCandless was prosecuted in the Eastern District of Pennsylvania under docket number 20-CR-000428-EGS by the U.S. Attorney's Office for the Eastern District of Pennsylvania.
5. After a plea to a single count of the indictment, Fr. McCandless was sentenced to thirty-seven (37) months plus a period of supervised release. He began serving that sentence on or about January 23<sup>rd</sup>, 2023.
6. Fr. McCandless served his sentence at FCI Fort Dix. He was released from custody on or about May 26<sup>th</sup>, 2025, having served approximately twenty-eight (28) months of his thirty-seven (37) month sentence.<sup>2</sup>
7. In the short time that he was out of custody, Fr. McCandless was an exemplary parolee.

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1996 (AEDPA).

<sup>2</sup> Fr. McCandless has had difficulty pleading certain facts with specificity. As alleged in Exhibit 1b *infra*, due to obstruction from Respondents, Fr. McCandless has had difficulty speaking with the undersigned.

8. On July 15<sup>th</sup>, 2025, without notice, Fr. McCandless was arrested by U.S. Marshals and taken into custody. As of the filing of the within Petition, Fr. McCandless has been in custody for approximately ten (10) days and
  - i. has not been verbally advised why he was arrested;
  - ii. has not been provided with any written documentation supporting his arrest;
  - iii. has not been provided with any administrative due process.
9. Not only has Fr. McCandless not been advised of why he was ripped from the street and incarcerated, Respondents have been at best unhelpful and at worse obstructive in dealing with the undersigned.<sup>3</sup> For the last ten (10) days, Fr. McCandless, through counsel, has attempted in good faith to ascertain why he was incarcerated. Respondents have failed to respond with either any administrative due process nor even human decency.
10. Fr. McCandless respectfully submits that his continued detention without notice nor ability to defend himself is a violation of the 14<sup>th</sup> Amendment to

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<sup>3</sup> See Exhibit 1a-c attached. The exhibits contain three (3) email chains with various members of the BOP and the Rappahannock Regional Jail. Exhibit 1a and 1b have been redacted to remove reference to a purportedly unrelated matter. In addition, Exhibit 1b has been further redacted to remove a July 9<sup>th</sup>, 2025 email that predates Fr. McCandless' arrest.

Fr. McCandless will provide the unredacted portions to the Court with a motion to seal if in fact the Respondents have incarcerated Fr. McCandless because of the redacted issue. However, due to the Respondents' complete obfuscation regarding why Fr. McCandless was detained, the within Petition has been filed expeditiously to halt the Government from taking any action that may be impossible for an American Court to undo.

the United States Constitution and the dictates of *Morrissey v. Brewer*, 408 U.S. 471, 480 (1972) and its progeny.

### **Jurisdiction and Venue**

11. This Court has jurisdiction pursuant to 28 U.S.C. § 2241 (the general grant of habeas authority to the district court; Article I § 9, cl. 2 of the U.S. Constitution (“Suspension Clause”), 28 U.S.C. § 1331 (federal question jurisdiction), and 28 U.S.C. §§ 2201, 2202 (Declaratory Judgment Act).
12. Venue is proper in the Eastern District of Pennsylvania as said District was the derivation of the prosecution that led to the instant incarceration by the BOP.

### **Parties**

13. Fr. McCandless is an American citizen.
14. William K. Marshall, III is the director of the BOP.
15. Col. Kevin Hudson is the Superintendent of the Rappahannock Regional Jail, in Stafford, Virginia.
16. Pamela Bondi is the Attorney General of the United States of America.

17. Sam Scales is an agent of the BOP responsible for supervising Fr. McCandless.
18. Alicia Lyles to the best of Fr. McCandless' information and belief is a contractor hired by the BOP to directly supervise Fr. McCandless and is an employee of Volunteers of America Chesapeake & Carolinas.

### **Legal Framework**

19. Section 2241 grants federal district courts authority to grant writs of habeas corpus within their respective jurisdiction if the habeas petitioner is "in custody in violation of the Constitution or laws or treaties of the United States." *See* 28 U.S.C. § 2241(c)(3).
20. The traditional function of the writ of habeas corpus is to secure release from unlawful executive detention. *Munaf v. Geren*, 553 U.S. 674, 693, 128 S. Ct. 2207, 171 L. Ed. 2d 1 (2008). Where a petitioner seeks release from detention, habeas (not a § 1983 action seeking release) is proper. *Hope v. Warden York Cty. Prison*, 972 F.3d 310 (3d Cir. 2020).

We have never held that a detainee cannot file a habeas petition to challenge conditions that render his continued detention unconstitutional. Although the context of the vast majority of habeas cases involve challenges to criminal judgments, the language of the habeas statute justifies resort to the writ by non-prisoner detainees.

*Id.* at 324.



21. *Morrissey v. Brewer* established that the "revocation of parole is not part of a criminal prosecution and thus the full panoply of rights due a defendant in such a proceeding does not apply." 408 U.S. 471, 480, 92 S. Ct. 2593, 33 L. Ed. 2d 484 (1972). Nonetheless, *Morrissey* held that certain "minimum requirements of due process" apply in revocation proceedings given their potential for depriving a parolee of the conditional liberty he has enjoyed. *Id.* at 489.

22. Under *Morrissey*, parolee's minimum due process rights during revocation proceedings include:

- (a) written notice of the claimed violations of parole;
- (b) disclosure to the parolee of evidence against him;
- (c) opportunity to be heard in person and to present witnesses and documentary evidence; (d) the right to confront and cross-examine adverse witnesses (unless the hearing officer specifically finds good cause for not allowing confrontation); (e) a 'neutral and detached' hearing body such as a traditional parole board, members of which need not be judicial officers or lawyers; and (f) a written statement by the factfinders as to the evidence relied on and reasons for revoking parole.

*Id.* at 489.

23. A petitioner under supervised release is considered to be "in custody" for purposes of a § 2241 petition. See *Maleng v. Cook*, 490 U.S. 488, 491, 109 S. Ct. 1923, 104 L. Ed. 2d 540 (1989) (holding a prisoner who had been placed on parole was still "in custody" under his unexpired sentence because his "release from physical confinement under the sentence in question was

not unconditional; instead, it was explicitly conditioned on his reporting regularly to his parole officer, remaining in a particular community, residence, and job, and refraining from certain activities.") The petitioner's custodian is the agent who is supervising him. *See Jones v. Cunningham*, 371 U.S. 236, 243, 83 S. Ct. 373, 9 L. Ed. 2d 285 (1963) (stating the petitioner's parole agents were his custodians under the habeas corpus statute).

24. Fr. McCandless respectfully submits that Respondents' actions are not indicative of members of a fair and justice government but instead reminiscent of a Third World country wherein rulers do as they please. Fr. McCandless was ripped from the street with no notice. To the best of his information and belief, he had complied with all conditions of his supervision. It is a sad fact that our current Executive Branch simply does as it pleases, thumbing its nose at its unfavored citizens, our system of laws, and our court system.

25. Since his incarceration, Fr. McCandless has been left in the dark. He has received no process, due or otherwise. He has not been told why he was arrested, been given written documentation supporting the same, nor any notice as to when he can expect a hearing on his purported violation. He knows not whether he violated his supervision or if the Government has

some other reason for his incarceration. He has no idea how he may challenge his incarceration.

26. Nearly three hundred years ago, Montesquieu wrote that there is no greater tyranny than that which is perpetrated under the shield of the law and in the name of justice. Fr. McCandless most respectfully submits that the actions of the BOP are despicable. The email chain in Exhibit 1b reads like a Kafka novel. Respondents don't even attempt to hide their disdain for due process or even human decency. No person should be yanked from the street and incarcerated by the Government without notice and due process to challenge the incarceration.

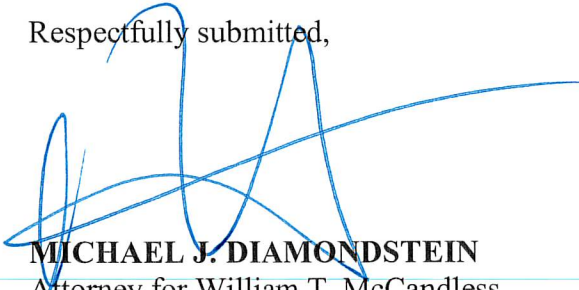
**Prayer for Relief**

**WHEREFORE** Fr. McCandless prays that this Honorable Court will:

- Assume jurisdiction over this matter;
- Declare that Fr. McCandless is being held illegally;
- Order his immediate release;
- Alternatively, he prays that the Court will Order that Respondents provide him with notice and due process to administratively challenge his detention; and
- Order Respondents to refrain from placing Fr. McCandless in any location outside the jurisdiction of an American Court, and
- Grant any other relief that the Court deems is proper.



Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Michael J. Diamondstein', is written over the typed name and address.

**MICHAEL J. DIAMONDSTEIN**

Attorney for William T. McCandless  
Suite 900

Two Penn Center  
1500 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19102  
(215) 940-2700  
mjd@michaeldiamondstein.com

**Certificate of Service**

*Michael J. Diamondstein* being duly sworn according to law, deposes and says that on the **24<sup>th</sup> day of July, 2025** a copy of the within document was served upon the following individuals by **ECF and/or U.S. Mail/Federal Express** upon receiving a stamped copy:

**Pamela Bondi**  
**Attorney General of the United States**  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington DC 20530

**William K. Marshall, III,**  
**Director BOP**  
Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

**Sam H. Scales**  
**Agent**  
Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

**Col. Kevin Hudson**  
**Superintendent**  
Rappahannock Regional Jail  
1745 Richmond Highway  
Stafford, VA 22554

**Alicia Lyles**

**Agent**

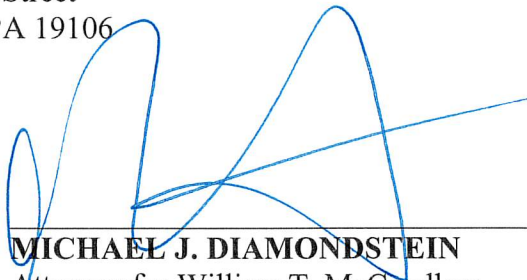
Volunteers of America Chesapeake & Carolinas |  
5000 East Monument Street|  
Baltimore, MD 21205

**and**

Federal Bureau of Prisons  
320 First St., NW  
Washington, DC 20534

**Clerk**

United States District Court  
United States Courthouse  
601 Market Street  
Philadelphia, PA 19106



**MICHAEL J. DIAMONDSTEIN**

Attorney for William T. McCandless  
Suite 900

Two Penn Center  
1500 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19102  
(215) 940-2700  
mjd@michaeldiamondstein.com

# Exhibit 1a

## Michael Diamondstein

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**From:** Michael Diamondstein  
**Sent:** Thursday, July 24, 2025 1:37 PM  
**To:** BOP-DIR-PublicAffairs-S (BOP); NER-ExecAssistant-S (BOP); MXR-ExecAssistant-S (BOP)  
**Cc:** Scales, Sam (BOP); Alicia Lyles; Toni Brice; Kim Wilson; [REDACTED]  
ehackett@rrj.state.va.us  
**Subject:** RE: Fr. William McCandless, 20337-509  
**Attachments:** Entry of Appearance.pdf

I am his lawyer. I attached to my previous email an audio file with Fr. McCandless' consent to the BOP to provide me with his information. I have attached to this email a copy of my entry of appearance.

md

**From:** BOP-DIR-PublicAffairs-S (BOP) <BOP-DIR-PublicAffairs-S@bop.gov>  
**Sent:** Thursday, July 24, 2025 1:33 PM  
**To:** Michael Diamondstein <mjd@michaeldiamondstein.com>; NER-ExecAssistant-S (BOP) <NER-ExecAssistant-S@bop.gov>; MXR-ExecAssistant-S (BOP) <MXR-ExecAssistant-S@bop.gov>  
**Cc:** Scales, Sam (BOP) <sscales@bop.gov>; Alicia Lyles <alyles@voaches.org>; Toni Brice <tbrice@voaches.org>; Kim Wilson <kimwilson@voaches.org>; [REDACTED]@usdoj.gov; ehackett@rrj.state.va.us  
**Subject:** Re: Fr. William McCandless, 20337-509

Good afternoon,

For privacy, safety, and security reasons, we do not comment on the conditions of confinement for any incarcerated individual or previously incarcerated individual, nor do we comment on matters related to pending litigation or ongoing legal proceedings.

Thank you,  
Benjamin O'Cone

**Office of Public Affairs**  
Federal Bureau of Prisons  
(202) 514-6551 - phone  
(202) 514-6620 - fax  
URL: [www.bop.gov](http://www.bop.gov)



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**From:** Michael Diamondstein <mjd@michaeldiamondstein.com>  
**Sent:** Thursday, July 24, 2025 11:09 AM  
**To:** BOP-DIR-PublicAffairs-S (BOP) <BOP-DIR-PublicAffairs-S@bop.gov>; NER-ExecAssistant-S (BOP) <NER-ExecAssistant-S@bop.gov>; MXR-ExecAssistant-S (BOP) <MXR-ExecAssistant-S@bop.gov>  
**Cc:** Scales, Sam (BOP) <sscales@bop.gov>; Alicia Lyles <alyles@voaches.org>; Toni Brice <tbrice@voaches.org>; Kim Wilson <kimwilson@voaches.org>; [REDACTED]@usdoj.gov; ehackett@rrj.state.va.us <ehackett@rrj.state.va.us>  
**Subject:** [EXTERNAL] Fr. William McCandless, 20337-509



Dear Director Marshall:

I am writing as a last-ditch effort to avoid filing a motion in federal district court for *habeas corpus* relief. As you can see by the below email chain, the BOP representatives we have reached have been at best unhelpful and at worst obstructive. In addition to the details included in the below chain, I can offer the following:

- Upon his release from custody at Ft. Dix, Fr. McCandless was an exemplary supervisee. Less than a week before his arrest, his officer told him that he was the best and most organized person that she supervised.
- Fr. McCandless was taken into custody on July 15<sup>th</sup>.
- As of the writing of this email, no one has told him why he was incarcerated, provided him with any documentation for the arrest, nor any indication when he will be provided with due process to challenge the incarceration.
  - Within a day or so after his incarceration, he put in a request to speak with the BOP representative. To date, he has received no response.
  - Additionally, I emailed [ehackett@rrj.state.va.us](mailto:ehackett@rrj.state.va.us) on 7/17/2025 and received no response.
- No one at the BOP has given me any information as to why Fr. McCandless was arrested.
- However, suspiciously, Fr. McCandless was taken into custody immediately after we advised the BOP that we needed [REDACTED]

[illegible]

- Fr. McCandless is being held in a jail that is substandard and violating his 6<sup>th</sup> and 8<sup>th</sup> amendment rights
  - He has been denied the ability to set up attorney/client phone calls. While he is free to call our office, because of the vagrancies of when I am actually in the office, without scheduling a call, we cannot assure that I will be present
  - While we have had access to a video call, the jail's internet access was spotty and the call substandard.
  - The jail is violent and understaffed
    - Fr. McCandless has been put on lockdown multiple times wherein he was forced to remain in his cell all day.
  - Despite his request and the BOP assertion, he has not been provided with a tablet.

• [REDACTED]  
[REDACTED]  
[REDACTED]

Because (as you can see by the below chain), Mr. Scales will not answer what type of release that the BOP requires to give me information on Fr. McCandless, I have attached a voice memo of Fr. McCandless giving consent to provide me with any/all of his BOP information. I certify, as an attorney barred in PA, NJ, and multiple federal courts, that I recorded the same while on a video call with Fr. McCandless earlier today.

While I understand that you must see this as just part of the job, what the BOP is doing to Fr. McCandless is despicable. He is a human being that you have snatched off the street and put in jail, now for ten (10) days, without telling him why. We therefore demand that you advise us of the reason for his incarceration and that he be provided with due process to challenge his detention.

We look forward to your immediate response.

md



MICHAEL J. DIAMONDSTEIN, P.C.  
ATTORNEY AT LAW

Two Penn Center - Suite 900  
1500 John F. Kennedy Blvd.  
Philadelphia, PA 19102  
Office #: (215) 940-2700  
Fax #: (215) 940-2701  
Email: [mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)  
Website: [www.michaeldiamondstein.com](http://www.michaeldiamondstein.com)

***CONFIDENTIALITY NOTICE:***

The information transmitted (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521, is intended only for the person(s) or entity/entities to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited and any such unintended review, retransmission, dissemination or other use is not a waiver of the attorney/client privilege. If you received this message in error, please contact the sender and delete the material from any computer. Thank you.

The recipient of this email has been advised that:

- (1) e-mail communication is not a secure method of communication;
- (2) any e-mail that is sent to you or by you may be copied and held by various computers through which it passes as it goes from sender to recipient;
- (3) persons not participating in our communication may intercept our communications by improperly accessing your computer or my computer or even some computer unconnected to either of us through which the e-mail passes.

I am communicating to you via e-mail because you have indicated your consent to receive communications via this medium. If you change your mind and want future communications to be sent in a different fashion, please advise me so immediately.

# Exhibit 1b

## Michael Diamondstein

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**From:** Michael Diamondstein  
**Sent:** Wednesday, July 23, 2025 4:59 PM  
**To:** Scales, Sam (BOP)  
**Cc:** Symone Mazzotta  
**Subject:** RE: Fr. McCandless

Hello:

This is my third email asking for you to advise me what form you would like Fr. McCandless to sign such that I can get information. I cannot mail him the form until you confirm which form that you will require.

Thank you.

md

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**From:** Michael Diamondstein  
**Sent:** Monday, July 21, 2025 4:16 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Cc:** Symone Mazzotta <[sam@michaeldiamondstein.com](mailto:sam@michaeldiamondstein.com)>  
**Subject:** RE: Fr. McCandless

Which BOP form do you require for consent?

md

---

**From:** Michael Diamondstein  
**Sent:** Monday, July 21, 2025 1:30 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Cc:** Symone Mazzotta <[sam@michaeldiamondstein.com](mailto:sam@michaeldiamondstein.com)>  
**Subject:** RE: Fr. McCandless

- Do you require the Form BP-A0192 for consent?

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**From:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Sent:** Monday, July 21, 2025 1:20 PM  
**To:** Michael Diamondstein <[mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)>  
**Subject:** Re: Fr. McCandless

I followed up with the facility regarding your concerns. They advised that a response was sent to Symone Mazzotta on July 16th, confirming that your phone number had been provided to your client and that it has been marked as an attorney number to ensure attorney-client privilege.



Additionally, your office was informed that the inmate must have sufficient funds on his phone account or place a collect call in order to initiate contact. Once the inmate calls you, you may coordinate a specific time for a privileged attorney call.

For added convenience, the facility also provides a link on their website to schedule attorney visits electronically via Renovo. This option allows you to conduct remote attorney-client visits securely.

Please let me know if you need any further information or assistance.

Sam H Scales

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**From:** Michael Diamondstein <mjd@michaeldiamondstein.com>

**Sent:** Monday, July 21, 2025 1:02:19 PM

**To:** Scales, Sam (BOP) <sscales@bop.gov>

**Subject:** [EXTERNAL] RE: Fr. McCandless

Are you referring to the BOP BP-A0192 form?

Additionally, while I cannot comment on whether he has a tablet, the jail has refused to set up an attorney/client phone call. Fr. McCandless' case was in the EDPA. My office is in Philadelphia. He is being held in Virginia. It is not reasonable for the BOP to expect Fr. McCandless' attorney to drive to Virginia to see him.

md

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**From:** Scales, Sam (BOP) <sscales@bop.gov>

**Sent:** Monday, July 21, 2025 6:30 AM

**To:** Michael Diamondstein <mjd@michaeldiamondstein.com>

**Subject:** Re: Fr. McCandless

Mr. Diamondstein,

Thank you for your message. In order to discuss the specifics of McCandless redesignation to a secure facility, I will need a signed Bureau of Prisons (BOP) informed consent form authorizing me to release that information. Please ensure this is submitted before we proceed with any case-specific details.

Please note that McCandless currently has access to a phone, tablet, and mail, which enables him to stay in contact with both his family and legal representatives. If a legal visit is necessary, the facility can and will coordinate to facilitate that meeting—please reach out directly to the institution to make those arrangements.

I would also like to clarify that the inmate was not “ripped from the street,” but rather returned to secure custody from the Residential Reentry Center (RRC), consistent with standard procedures. Decisions regarding placement are not based on personal opinion or criminal history. I adhere strictly to policy and ensure that all individuals are treated fairly and equitably, without bias.

Please let me know if you have any additional questions, and feel free to forward the required consent form at your earliest convenience

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**From:** Michael Diamondstein <[mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)>  
**Sent:** Friday, July 18, 2025 1:34 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Subject:** [EXTERNAL] RE: Fr. McCandless

Mr. Scales:

I don't like email conversations and I like email wars even less. While I understand that you work for the government, you must have some empathy. Fr. McCandless may have been convicted of a crime but he is still a human being. He was ripped off the street, is in jail, and no one has told him why. He is upset. The man has a family and they are upset.

Would you kindly advise us what he did, why he is in jail, and when we will be able to address this misunderstanding?

Thank you.

md

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**From:** Michael Diamondstein  
**Sent:** Thursday, July 17, 2025 4:02 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Subject:** RE: Fr. McCandless

I had a phone call with Fr. McCandless today. While it was extremely short, he indicated:

- He has no idea why he was arrested
- He was given no paperwork describing what he was arrested
- Noone told him why he was being arrested
- He has no idea when, if at all, he will be given any due process.

As a bonus, the location in which he is housed refuses to set up attorney/client phone calls or videos.

Again, I have attached my filed appearance and ask that you advise me why Fr. McCandless was detained.

Thank you.

md

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**From:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Sent:** Wednesday, July 16, 2025 9:46 AM  
**To:** Michael Diamondstein <[mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)>; [REDACTED] <[REDACTED]@usdoj.gov>  
**Cc:** [REDACTED]  
**Subject:** Re: Fr. McCandless

Good morning,

Your client has the right to legal visits at his current facility. Please reach out to the facility to facilitate the visit.

Scales

Sam H Scales

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**From:** Michael Diamondstein <mjd@michaeldiamondstein.com>  
**Sent:** Wednesday, July 16, 2025 9:33:45 AM  
**To:** Scales, Sam (BOP) <sscales@bop.gov>; [REDACTED]@usdoj.gov>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] RE: Fr. McCandless

Attache [REDACTED]:

I am writing because I am at a loss and do not know whom I can contact.

[REDACTED]

Now, apparently yesterday when Fr. McCandless went to check in at the halfway house, the Marshals arrested everyone who was at the halfway house. I only know this third hand because the BOP won't tell me where Fr. McCandless is, what he was taken into custody for, nor when he will have any type of process.

I can't file a habeas petition because I have no idea what I could even plead and even if I could plead sufficient facts, I won't get a hearing in time. [REDACTED]

[REDACTED]

If you have any other suggestions, I am open to them.

Thank you.

md

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**From:** Michael Diamondstein  
**Sent:** Tuesday, July 15, 2025 4:05 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Subject:** RE: Fr. McCandless

Thank you very much for the suggestion. I would reach out to him directly but someone from the Government put him in jail in Virginia and I imagine, took his cell phone.

I am his attorney of record. My appearance is in on the federal case that put him in federal prison, that got him released to you, and will be in on any federal violation that he must face. I have attached a copy of the filed entry indicating the same. [REDACTED]  
[REDACTED]

Thus, please advise why he was taken into custody.

Thank you.

md

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**From:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Sent:** Tuesday, July 15, 2025 3:36 PM  
**To:** Michael Diamondstein <[mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)>  
**Subject:** Re: Fr. McCandless



Please feel free to reach out to your client directly. In the absence of an informed consent I can't discuss the inmate with you.

Scales

Sam H Scales

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**From:** Michael Diamondstein <[mjd@michaeldiamondstein.com](mailto:mjd@michaeldiamondstein.com)>  
**Sent:** Tuesday, July 15, 2025 3:32:53 PM  
**To:** Scales, Sam (BOP) <[sscales@bop.gov](mailto:sscales@bop.gov)>  
**Subject:** [EXTERNAL] RE: Fr. McCandless

Officer Scales:

Apparently, my client, Fr. McCandless, was grabbed by the U.S. Marshals while he was checking in and was taken into custody in Virginia.

Would you kindly advise why Fr. McCandless was taken into custody, provide any documentation on the violation, and when/where is his hearing?

Thank you.

md

---

**From:** Toni Brice <[tbrice@voaches.org](mailto:tbrice@voaches.org)>  
**Sent:** Tuesday, July 15, 2025 3:31 PM

**To:** Michael Diamondstein <mjd@michaeldiamondstein.com>; Alicia Lyles <alyles@voaches.org>

**Subject:** Re: Fr. McCandless

You have to contact the RRM Scales.

Toni Brice / Deputy Director

Certified Instructor/Adult First Aid/CPR/AED

Volunteers of America Chesapeake & Carolinas | tbrice@voaches.org

5000 East Monument Street | Baltimore, MD 21205 | [www.VOAchesapeake.org](http://www.VOAchesapeake.org)  
Main: 410-276-5880 ext. 2143 | Direct: | Cell:410-858-3330 | Fax: 410-732-0210

*"I care about decency, humanity and kindness. Kindness today is an act of rebellion"*

**Pronouns:** *she/ her/ hers (what's this?)*

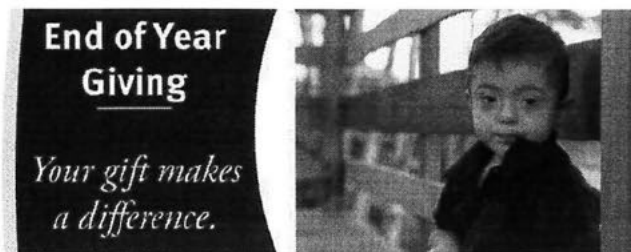


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**From:** Michael Diamondstein <mjd@michaeldiamondstein.com>  
**Sent:** Tuesday, July 15, 2025 3:13 PM  
**To:** Alicia Lyles <alyles@voaches.org>; Toni Brice <tbrice@voaches.org>  
**Subject:** RE: Fr. McCandless

Hello:

I am following up on the below email. Apparently, my client, Fr. McCandless, was grabbed by the U.S. Marshals while he was checking in and was taken into custody in Virginia.

Would you kindly advise why Fr. McCandless was taken into custody, provide any documentation on the violation, and when/where is his hearing?

Thank you.

md

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**From:** Michael Diamondstein  
**Sent:** Tuesday, July 15, 2025 10:55 AM  
**To:** alyles@voaches.org  
**Subject:** RE: Fr. McCandless

Hello:

I was just advised that Fr. McCandless was taken into custody. Would you kindly advise why and/or provide a violation sheet.

Thank you.

md

---

**From:** Michael Diamondstein  
**Sent:** Wednesday, July 9, 2025 11:51 AM  
**To:** [alyles@voaches.org](mailto:alyles@voaches.org)  
**Subject:** Fr. McCandless

Dear Officer Lyles:

My office represents Fr. McCandless. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you.

md



**MICHAEL J. DIAMONDSTEIN, P.C.**  
**ATTORNEY AT LAW**

Two Penn Center - Suite 900

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Philadelphia, PA 19102

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Fax #: (215) 940-2701

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Website: [www.michaeldiamondstein.com](http://www.michaeldiamondstein.com)

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# Exhibit 1c

## Michael Diamondstein

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**From:** Michael Diamondstein  
**Sent:** Thursday, July 17, 2025 4:05 PM  
**To:** ehackett@rrj.state.va.us  
**Subject:** Fr. William McCandless  
**Attachments:** Entry of Appearance.pdf

Hello:

I am Fr. McCandless' attorney. I have attached a copy of my appearance.

Would you kindly advise why he has been detained and provide us with any documentation for his detention please?

Thank you.

md



**MICHAEL J. DIAMONDSTEIN, P.C.**  
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- (3) persons not participating in our communication may intercept our communications by improperly accessing your computer or my computer or even some computer unconnected to either of us through which the e-mail passes.

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